



TFW 3745

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 11, 2006

Signature: 

(Russell C. Petersen)

Docket No.: 06007/37458
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

David A. COOK et al.

Application No.: 09/866,311

Confirmation No.: 4324

Filed: May 25, 2001

Art Unit: 3745

For: HYDRAULIC SYSTEM FOR
WHEELED LOADER

Examiner: F. D. Lopez

**SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits after the submission of an Request for Continued Examination, as far as is known to the undersigned (37 CFR 1.97(b)(4)).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR

1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

SUMMARY OF NON-ENGLISH LANGUAGE REFERENCES
CITED ON FORM 1449

The following is an explanation of the relevance of each document cited on the attached Form 1449 and not written in the English language as it is presently understood as required by 37 CFR § 1.98(a)(3)(i).

Documents B1, B2, and B3, cited on the attached Form 1449 and titled "*Chargeuses Pelleteuses*," "*580 Ranger*," and "*Ride Control*," respectively, are directed to Case Corporation's Model 580 Wheeled Loader Machine. While these documents appear to disclose that Case's Model 580 includes a Ride Control Circuit, the documents fail to disclose the construction of the circuit itself.

Document E, titled "*Senkbrems-sperrventile SBV*," describes a counterbalance check valve of the kind which might be used in the hydraulic circuit of the present application. Doc. E does not suggest how such a valve may be used, or more particularly, how such a valve may be put in a hydraulic circuit for a wheeled loader with a ride improvement means.

Document F, titled "*Gute Aussichten*," is an example of a wheeled loader machine. It does not disclose a hydraulic circuit with a ride improvement means.

CONCLUSION

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this

Application No.: 09/866,311

Docket No.: 06007/37458

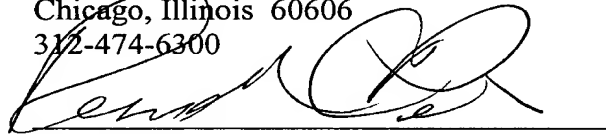
application by this firm) to our Deposit Account No. 13-2855, under Order No. 06007/37458.

A duplicate copy of this paper is enclosed.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
312-474-6300

By:

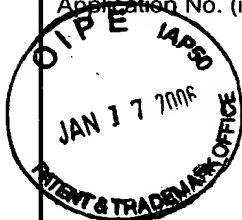


Russell C. Petersen
Registration No. 53,457
Attorney for Applicants

January 11, 2006

Application No. (if known): 09/866,311

Attorney Docket No.: 06007/37458

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on January 11, 2006
Date

Signature

Russell C. Petersen

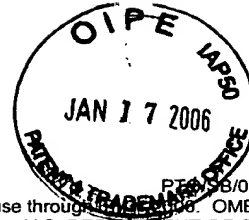
Typed or printed name of person signing Certificate

53,457
Registration Number, if applicable

(312) 474-6644
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

IDS (Citation) by Applicant (8 References) (1 page)
Information Disclosure Statement
Transmittal



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Approved for use through 12/31/06. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	09/866,311-Conf. #4324
		Filing Date	May 25, 2001
		First Named Inventor	David A. Cook
		Art Unit	3745
		Examiner Name	F. D. Lopez
		Attorney Docket Number	06007/37458
Sheet	1	of	1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A	MANNESMANN REXROTH, <i>Stabilising Module For Wheel Loaders Type MHRSM... Series 2X</i> , July 1996, 8 pages, England.	
	B1	CASE, <i>Chargeuses Pelleteuses</i> , June 1997, 8 pages, France	√
	B2	CASE, <i>580 Ranger</i> , Date Unknown, 4 pages, France	√
	B3	CASE, <i>Ride Control</i> , October 1996, 2 pages, France	√
	C	CASE, <i>L Series 2, Loader/Backhoes</i> , March 1999, 30 pages, USA	
	D	CASE, <i>Technical Validation Report</i> , March 1996, 7 pages, France	
	E	FLUTEC, <i>Senkbrems-sperrventile SBV</i> , July 1986, 4 pages, Germany	√
	F	<i>Gute Aussichten, Profi</i> , September 1997, 4 pages, Germany	√

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if a Concise Explanation of the Relevance is included.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--